

REMARKS

In view of the foregoing amendments and following remarks, reevaluation and further processing of the application is requested. Prior to amendment herewith, Claims 1-12 were pending in the application. By amendment herewith, Claim 1 has been amended and new Claims 13-20 have been added. Thus, Claims 1-20 are now pending in the application.

Applicants acknowledge with appreciation the Examiner's indication that Claims 7-12 are allowed and that Claims 2-3 and 5-6 are allowable.

The Examiner has rejected Claims 1 and 4 as being anticipated by U.S. Patent No. 6,447,667 to Bates et al. ("Bates"). The Examiner states that Bates discloses a circumscribed heat radiation shield and references the cryolite crust 14 of Figure 1 of Bates.

Applicant respectfully submits that the cryolite crust of Bates does not anticipate each and every element of Claim 1. For example, steps 2 and 3 of Claim 1 recites that the shielded anode assembly is withdrawn from the bath (step 2) and inserted into the bath (step 3). Hence, claim 1 requires that an anode assembly is shielded both as it is withdrawn from the bath and as it is inserted into the bath. As the cryolite crust is not attached to the anode assembly, the cryolite crust does not shield the anode assembly during the entire inserting or withdrawing process. Therefore, Applicant respectfully submits that the cryolite crust is not a "shielded anode assembly", as recited in Claim 1.

Applicant realizes that Bates also discloses placing a coating on the surface of the anodes of an anode assembly to protect the cell from thermal shock. In particular, Bates discloses that the protective coating is generally a dual layer coating with an inner aluminum coating and an outer carbon coating (Col. 4, lines 40-49; Col. 5, lines 32-40). Bates discloses that, prior to insertion of the anodes into the molten bath of the cell, the coated anodes are placed into a furnace, where the outer carbon layer is oxidized away (Col. 5, lines 51-60). Bates discloses that the anodes are then placed into the molten bath (Col. 5, lines 51-60).

Applicant respectfully submits that the coatings of Bates do not anticipate Claim 1. Claim 1 requires a heat radiation shield that prevents a temperature drop "within its circumscribed assembly" as required by Claim 1. Applicant submits that the coatings of Bates are not an assembly and do not circumscribe the inert anode assembly, as required by Claim 1. Indeed, the coatings of Bates, at best, circumscribe individual anodes, and not the anode assembly itself. Hence, the coatings of Bates do not constitute the heat radiation shield of Claim 1.

In view of the foregoing, Applicant submits that Claim 1 is not anticipated by Bates. Nonetheless to more clearly present the invention, Applicant has amended Claim 1 to recite that the

heat radiation shield is attached to the inert anode assembly, and that the heat radiation shield is spaced from the anodes of the inert anode assembly. Support for this amendment may be found at, for example, Figure 1 and paragraphs 0014-0016. Clearly, the cryolite crust of Bates is not attached to the inert anode assembly. Furthermore, the coatings of Bates are not spaced from the anodes of the inert anode assembly as the coatings are on the surface of the anodes. Therefore, Applicant respectfully submits that Claim 1 is novel and non-obvious over the art of record and is thus allowable.

Applicant has added new Claims 13-20 directed to an anode assembly comprising a heat radiation shield. Support for these claims may be found at, for example, Figure 1 and paragraphs 0010 and 0014-0018 of the specification. In particular, support for Claim 13 may be found at, for example, Figure 1 and paragraphs 0014 and 0016. Support for Claims 14 and 15 may be found at, for example, Figure 1 and paragraph 0016. Support for Claim 16 may be found at, for example, paragraphs 0017 and 0018. Support for Claim 17 may be found at, for example, paragraphs 0010 and 0018. Support for Claims 18-20 may be found at, for example, paragraph 18.

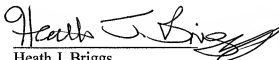
In light of the above amendments and remarks, Applicant respectfully submits that all pending claims are in condition for allowance, and such action is respectfully requested. If the Examiner believes that it would be helpful to discuss any of the amendments or remarks presented herein, the Examiner is invited to contact the undersigned at the telephone number provided.

It is not believed that any additional fees are due in connection with this response. However, any necessary fees may be charged to Deposit Account No. 01-1000.

Respectfully submitted,

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